

Message Text

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12

ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 EPA-04

CEQ-02 RSR-01 /248 W

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R 131913Z JUL 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 447

INFO USUN NEW YORK 9198

UNCLAS GENEVA 3598

DEPT PLEASEPASS FOR INFO ALL DIPLOMATIC POSTS AND
AMCON HONGKONG AND NASSAU

E.O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: SEABED MEETING, SUMMARY OF SECOND WEEK

1. OVERALL SUMMARY. SEABED CMTE, WHICH IS ACTING AS PREPARATORY BODY FOR LOS CONFERENCE, SPENT SECOND WEEK DRAFTING TREATY ARTICLES IN SUBCMTE'S I (SEABED REGIM) AND III (MARINE POLLUTION AND SCIENTIFIC RESEARCH). SUB-CMTE II ENGAGED IN STRUCTURED DEBATE ON CONTINENTAL SHELF AND ECONOMIC ZONE. DELEGATES STATED NUMBER OF SPECIFIC SUBSTANTIVE POSITION AND NEGOTIATIONS APPEAR TO BE FULLY UNDERWAY. GENERAL ATMOSPHERE WAS WILLINGNESS TO ENGAGE IN INTENSIVE PREPARATORY EFFORTS.

2. MAIN CMTE.

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A. SUBCMTEE'S CHAIRMEN GAVE THEIR REGULAR WEEKLY

REPORTS ON ACTIVITIES AND UN LEGAL COUNSEL STAVROPOULOS INTRODUCED THREE SECRETARIAT REPORTS. PERU, SIERRA LEONE AND JAMAICA MADE "SPECIAL STATEMENTS". PERU SAID IT UPHOLDS MARITIME SOVEREIGNTY TO 200 MILES WITHOUT ANY REDUCTION IN RIGHTS OF NAVIGATION AND STRESSED RIGHTS OF COASTAL STATES OVER RESOURCES AND CONTROL OVER POLLUTION AND SCIENTIFIC RESEARCH WITHIN 200- MILE ZONE.

B. SIERRA LEONE POINTED OUT IT CLAIMS 200- MILE TERRITORIAL WATERS WHICH WOULD INCLUDE OAU DECLARATION ZONE. STRESSED RIGHT OF COASTAL STATES TO PROTECT OFFSHORE RESOURCES AND NATIONAL SECURITY, AND STATED THAT WITHIN ANY ECONOMIC ZONE THERE SHOULD NOT BE UNDUE INTERFERENCE WITH NAVIGATION. STRESSED BENEFITS OF SCIENTIFIC RESEARCH. JAMAICA FAVORED REACHING AGREEMENT ON A REGIONAL LEVEL AND THEN, IF POSSIBLE, APPLYING IT IN A GLOBAL SOLUTION.

C. AMB CASTANEDA (MEXICO) URGED EFFORT TO COMBINE KENYA, OAU AND COLOMBIA/VENEZUELA/MEXICO TEXTS. CHAIRMAN AMERASINGHE RESPONDED THAT NEGOTIATIONS SHOULD NOT BE LIMITED TO SPONSORS OF TEXT.

3. SUBCOMMITTEE I AND WORKING GROUP.

A. WG BEGAN ON SYSTEMATIC CONSIDERATIONS OF POWERS AND FUNCTIONS OF ASSEMBLY USING SECRETARIAT'S COMPARATIVE TABLE. DESPITE EFFORT TO LIMIT WG CONSIDERATION TO SIMPLE ALLOCATION OF FUNCTIONS, THERE HAS BEEN CONSIDERABLE SUBSTANTIVE DEBATE AND DRAFTING CHANGES AS WELL.

B. WG HAS COMPLETED FIRST CONSIDERATION OF ITEMS DEALING WITH ADMINISTRATION AND GENERAL PROVISIONS, INTERNATIONAL COOPERATION, DRAFT CONVENTIONS AND HAS BEGUN ON FUNCTIONS DEALING WITH ARRANGEMENTS WITH STATES AND ORGANIZATIONS.

C. PROCEDURAL PROBLEMS EXPERIENCED BY WG IN EARLY DAYS OF WEEK RELATE IN PART TO DIFFICULTY IN CONSIDERING POWERS AND FUNCTIONS OF ASSEMBLY AND COUNCIL WITHOUT UNCLASSIFIED

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HAVING DETAILED PROVISIONS OF ENTERPRISE SYSTEM BEFORE WG. IT IS EXPECTED THAT SUPPORTERS OF ENTERPRISE WILL SUBMIT DRAFT ARTICLES NEXT WEEK.

4. SUBCOMMITTEE II AND WORKING GROUP

A. SUBCMTE II WORKING GROUP OF WHOLE SPENT SECOND WEEK IN STRUCTURED DEBATE ON CONTINENTAL SHELF RIGHTS AND

ECONOMIC ZONE. ATTENTION WAS LARGELY CONCENTRATED ON OUTER LIMIT FOR CONTINENTAL SHELF OR ECONOMIC ZONE.

B. GENERAL DISSATISFACTION WAS EXPRESSED WITH EXPLOITABILITY CRITERION IN 1958 CONTINENTAL SHELF CONVENTION. MOST WHO SPOKE FAVORED 200- MILE LIMIT BUT SOVIETS AND SEVERAL OTHER DELEGATIONS SUPPORTED COMBINATION OF DEPTH AND DISTANCE CRITERIA. LANDLOCKED AND SHELF-LOCKED STATES DESIRED LIMIT MUCH NARROWER THAN 200 MILES. ISSUE AROSE WHETHER COASTAL STATES WOULD HAVE CONTINENTAL SHELF RIGHTS WHERE SUCH RIGHTS MIGHT EXTEND BEYOND 200 MILES. SUPPORTERS OF OAU DECLARATION FAVORED LIMITING COASTAL STATES TO 200 MILES ON SEABEDS WHILE SUPPORTERS OF SANTO DOMINGO ARTICLES WANTED RECOGNITION OF "ACQUIRED RIGHTS" BEYOND 200 MILES. SOME STATES SPOKE OF "COMPENSATION" FOR STATES ADVERSELY AFFECTED BY 200- MILE LIMIT.

C. US STRESSED NEED TO FOCUS ON CONTENT OF ECONOMIC SEABED AREA AND EMPHASIZED FIVE INTERNATIONAL ELEMENTS: INTERNATIONAL STANDARDS TO PREVENT UNREASONABLE INTERFERENCE WITH OTHER USES OF OCEAN, INTERNATIONAL STANDARDS TO PROTECT OCEAN FROM POLLUTION, INTERNATIONAL STANDARDS TO PROTECT INTEGRITY OF INVESTMENT, SHARING OF REVENUES FOR INTERNATIONAL COMMUNITY PURPOSES AND COMPULSORY SETTLEMENT OF DISPUTES.

D. OTHER ISSUES WHICH SURFACED IN DEBATE INCLUDED CONTINENTAL SHELF ENTITLEMENT OF ISLANDS, SPECIAL STATUS FOR STATES BORDERING SEMI-ENCLOSED SEAS AND REGIONAL OR OTHER ARRANGEMENTS FOR LANDLOCKED STATE PARTICIPATION OR BENEFIT FROM COASTAL ECONOMIC AREAS.

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5. SUBCOMMITTEE III AND WORKING GROUP

A. US AND UK RESPONDED TO CANADIAN VIEWS ON IMCO CONFERENCE, AND STATED THAT IMCO MUST NOT CHANGE LAW TO SUPPORT BOARD COASTAL STATE JURISDICTION. ONLY IN LOS COULD PROPER BALANCE OF INTERESTS BE ACHIEVED ON JURISDICTIONAL ISSUES. CANADA LINKED RESOURCE AND POLLUTION JURISDICTION. BELGIUM, NETHERLANDS AND JAPAN SPOKE IN FAVOR OF INTERNATIONAL STANDARDS FOR CONTROL OF VESSEL SOURCE POLLUTION. PRC SUPPORTED COASTAL STATE POLLUTION JURISDICTION.

B. INFORMAL DRAFTING GROUP MET TO PREPARE TEXT ON GLOBAL AND REGIONAL COOPERATION.

C. SUB-GROUP OF DRAFTING GROUP MET AND COMPLETED BASIC
TEXT EXCEPT FOR ONE SENTENCE. SEVERAL DEVELOPING COUNTRY
DELS PUSHED FOR ECONOMIC FACTORS TO BE TAKEN INTO ACCOUNT
IN DEVELOPING AND COMPLEMENTING INTERNATIONAL STANDARDS.
TEXT NOW LIMITS ECONOMIC FACTORS TO LAND-BASED POLLUTION.
BASSIN

NOTE BY OC/T: NOT PASSED ABOVE ADDRESSEES.

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